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Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

Ref: MM Docket No. 97-138

Subj: NPRM Addressing Changes to Inspection files and Studio Locations

Dear Commissioner,

I have reviewed the ref. and have comments to submit with regards to it.

Item: The studio location requirements for FM stations.

Idea Suggested from some other source: 30 minute or 35 to 50 mile limits.

My Comments:

The idea of the main studio location fixed at a maximum of 35 miles could infringe upon Full Class station which has a studio out on the edge of thier city-grade contour, which currently is 80 km/50 mi. This could impose upon anyone which would have to "move-in" to 35 mile limit unless a "grandfather clause" was established. The 30 minute or 35 mile limit does not seem feasible for the Class A, B, B1, C2, or C3 stations since thier 1mV contour does not even extend out to 35 miles. The 1mV curve of the C1 station only goes 35.75 miles out. I refer to the 1mV curve, because this is a GOOD listening area of responsibility.

I do not believe the 35 or 50 mile rule would benefit the community of license, if they choose to visit the studio. Imagine a guest speaker driving 50 miles away to visit a studio for a live broadcast that serves the community he just came from! That does not seem practical. Yes, I know there are phone-in interviews, but nothing beats a "live" behind the mike interview.

The movement of a studio 35 to 50 miles away from the community would, in fact, lessen the stations ability to identify with the community it serves. This responsibility COULD NOT be realized at 50 miles away. They would be "out of touch" with the community. Establishing the studio location limit with a compromise of accessibility to the public and pattern of coverage.

MY SUGGESTION:

SET A LIMIT OF 35 MILES OR THE STATION'S 1mV CONTOUR, WHICHEVER IS LESS, FOR ALL STATIONS AM, FM, and TV. MULTIPLE STATION OWNERS IN THE SAME COMMUNITY MUST MAINTAIN A STUDIO IN THE AREA COVERED BY THE LEAST CLASS STATION THEY OWN IN THAT COMMUNITY.

This would prevent anyone from having to drive extreme distances to get to a studio and would also keep the studio within the protected contour of the station.

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The FM class C station would not lose any distance, if grandfathered, but if they own a lower class licensed station in the same community they must maintain a studio in the lower class area.

The FM class C1 could lose .75 miles distance.

The remaining class stations would gain anywhere from 7-10 miles. That distance change would not impair a visitor too much, maybe 10 minutes in some locations. People drive 15 - 20 miles for a good restaraunt.

There will be those multiple station licensees which will cry out "unfair", "unfair", but they should remember this, the FCC did not force them to buy multiple stations. They had to sign a Financial Qualifications statement on their applications. That Financial statement made it clear that they had the funds to operate the station. The owners of multiple stations know that there is more expense in running them, and they should not expect the FCC to change rules to allow them to save money. They have no business owning all the stations if they cannot manage the costs of them. Let it also be stated that multiple station owners also make more profit, or at least they should be making more profit. If they are not, they are more than likely poor managers and do not have the support of the community, which usually means they are not serving the community in the way the community desires.

My ears usually perk up when a multiple station owner cries they must keep personnel at a stations all day and have to spread out their manpower between two or three or more stations just to be legal.

That type of remark should cause us to ask some questions.

How much income do they receive from that community?

Where was this concern when they bought the stations?

How could they honestly sign the Financial Qualifications statement on the application?

Is the person greedy and trying to manipulate the FCC by trying to consolidate in order to pocket more money?

Item: Public Inspection File Location

Idea Suggested: Maintain public inspection files at main studio, irrespective of the studio's location.

My Suggestion:

KEEP THE PUBLIC INSPECTION FILES AT THE STUDIO.

My Comments:

I wholeheartedly agree with the suggestion. Nothing has upset me more as an engineer than to go to a studio and find nobody there, much less anyone there that even knows where or what a Public Inspection File is!! Sometimes the receptionist or secretary doe not know where the files are or how to find something in them I need to look at. I know there are unmanned stations, but I have rarely seen a studio with a sign telling the location of the Public Inspection file and contact phone numbers. The public file should not be at "Joes" office in another town within the city-grade contour, unless there is such a sign. When it is not done it makes it very difficult to track down, and when I do visit a manned studio and the file is somewhere else, the studio calls where the files are maintained and when I arrive at that location there is a sign on the door saying "on an errand, be back soon", soon, as in hours later. It gives me the feeling they are trying to hide something. I travel frequently and can not wait all day for someone to sh up to let me see the files, much less wait until the next business day.

Item: Retention of Public inspection

My Suggestion

KEEP IT AS IT IS

My comments:

Records need to be maintained at the site which tell of the stations history, if they have been kept, which leads me to the next item.

Item: Responsibility of the assignee of a station license with respect to license-specific materials that were to have been maintained by the previous licensee.

My Suggestion:

DO NOT LAY "the sins of their fathers" UPON THE UNSUSPECTING NEW ASSIGNEE OF A STATION WHICH WAS LAST LICENSED TO AN IRRESPONSIBLE OWNER. FINE THE CURRENT LICENSEE FOR FAILURE TO MAINTAIN REQUIRED DOCUMENTS AND HELP THE NEW ASSIGNEE ESTABLISH A STARTING POINT WITH A FRESH FILE.

My comments:

It has taken me weeks, sometimes, to recover all the back paperwork on a station which did not maintain their paperwork properly. I would like to "bill" or "fine" any previous owner who neglected to maintain proper files. This includes up-to-date licenses and construction permits readily available. I can not count how many times I have visited old neglected AM stations, to find they had some paper on the wall, but it was outdated when "Noah came on the arc". There have been previous owners which did not know they were licensed for "night-time" power. I have met some that did not know they had to show why they could not meet an Order from the FCC. The new assignee has no idea what has been approved and has much searching to do to fill in all the holes.

Lay the burden of COMPLETE Public Inspection Files on the previous licensee to include ALL Construction Permit Applications and Amendments to Licensed Facility.

Item: Public Inspection Files on the "WEB" or other electronic sending devices.

MY SUGGESTION:

DO NOT DO IT.

My comments:

Have you ever seen a computer crash? It is not a pretty site, bytes, bits, and fragments everywhere. Some things totally disappear.

On the serious side, this does happen. I know personally of servers which have "crashed" and caused all sorts of problems to the users. Some have taken 3-4 days to return on-line. I know people should make back-up copies of all data on disks, but how many people really do? You can say "it is their responsibility to make back-up copies of all files on disks", but people are lazy and there will be many that do not have tape back-up or anything like that. If they do not save it and the server loses it, they will have to call the Commission to get copies of data on file. This will put an undue hardship on the Commission, which already has enough work. It has never been good business to put all your trust into one thing or all "your eggs in one basket".

Anything you want on the "web" has to be physically typed onto disk to take it from its current paper condition to computer usable data. This would put immeasurable strain on many stations. Imagine having many secretaries retyping every file on hand at this current time or scanning each one and converting it to a text or picture document. There were already complaints from owners they do not have enough people to manage the offices they already have. Too much burden on licensees.

Once the data is all typed it is maintained on the servers computer NOT AT THE STUDIO. So much for requiring public files at studios for ready access to the public. All of the public do not have computers, much less "WEB" access.

There is also the danger of INTRUSION. I have worked with computers for 20 years and can find a way to do many things to files. If I do not know the answer, someone else does.

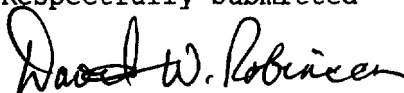
If your server representative supports another station and decides to "TAMPER" with data on his/her server, namely your public files, you may never know it, or may not know it until the damage has been done.

There are market areas where stations do all they can to find out what the "other guy" is doing, without the other guy finding out they know what he is up to. I have seen instances where applications were seemingly intentionally "blocked" by another applicant which already had something in the area, but wanted no competition, even if it meant applying for something they never really intended to put up.

Putting "all your business" on the WEB would help the deceitfull people out there remain that way.

I BELIEVE IT WOULD BE BETTER TO LEAVE THE "PAPERWORK" IN THIS CASE, EXACTLY THAT, PAPERWORK NOT COMPUTERWORK. WE WOULD BE INVITING TRAGEDY PUTTING ALL DATA ON THE WEB.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "David W. Robinson". The signature is fluid and cursive, with the first name "David" being more prominent.

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